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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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10/586,592

07/19/2006

Horst-Werner Maier-Hunke

407-389

1647

7590

02/13/2008

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EXAMINER

ISLAM, SYED A

ART UNIT

PAPER NUMBER

3611

MAIL DATE

DELIVERY MODE

02/13/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|------------------------|---------------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/586,592 | MAIER-HUNKE, HORST-WERNER | |
| | Examiner | Art Unit | |
| | SYED A. ISLAM | 3611 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☒ Claim(s) 4-16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 July 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>20060719</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

Claims 4-16 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent cannot depend from another multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims 4-16 have not been further treated on the merits.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1 and 2 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The claim language contains the limitation of said additional groove serving to accommodate at least one clamping slide (15), the end of which remote from the center of the groove (6) forms a holder for

one of the edges of the covering panel (5) and of the information carrier (4) not engaging in the guide grooves (2, 3). However, the applicant fails to describe the distinct limitation in the specification. On the contrary, applicant describes said slide ensures secure seating of the information carrier and the covering panel in the guide grooves of the main body. As best understood by the office, the clamping slide is in contact with guide grooves which secure the information carrier and the covering panel.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Schmanski et al. (5,189,822).

Regarding claim 1, Schmanski et al. disclose a sign, in particular an information sign, having a main body 10 (col. 3, line 29; see fig. 1) and a transparent covering panel 28 (col. 4, line 2; see fig. 1), connected

detachably with the main body, for a sheet-form information carrier 30 (col. 4, line 11; see fig. 1) suitable for accommodation between the main body 10 and the covering panel 28, and having means for securely holding together the main body, the covering panel 28 and the information carrier 30, the main body 10 being provided at two mutually opposing edges with guide grooves 18 (col. 4, line 36; see fig. 1) for two likewise mutually opposing edges of the covering panel 28 and of the information carrier 30, characterized in that the main body 10 additionally comprises at least one undercut groove 12 (col. 3, line 29; see fig. 1) between its edges provided with guide grooves 18, said additional groove serving to accommodate at least one clamping slide 32 (col. 4, line 18; see fig. 1), the end of which remote from the center of the groove forms a holder for one of the edges of the covering panel 28 and of the information carrier 30 not engaging in the guide grooves 18 (see fig. 2, where the slide is not in contact with the side groove 16).

Regarding claim 2, Schmanski et al. disclose a clamping slide 32 for the edges of the covering panel 28 and of the information carrier 30 not engaging in the guide grooves 16 (see fig. 2, where the slide is not in